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November 11, 2002

Jeff Jordan
Supervisory Attorney
Central Enforcement Docket
Federal Election Commission

Transmitted via facsimile
and UPS Overnight

Re: MUR # 5321

This letter is in response to the National Republican Congressional Committee's Complaint against Janet Robert and the Janet Robert for Congress Committee (Robert Committee). I am writing on behalf of Janet Robert, the Robert Committee, and the treasurer of the Robert Committee, Teresa Silha. Statements of Designation of Counsel from each of these parties are attached.

The Complaint by the National Republican Congressional Committee (hereinafter "the Republican Committee") should be dismissed because there is no reason to believe that the Complaint sets forth any possible violation of the Federal Election Campaign Act of 1971, as amended (hereinafter "the Act.") Examination of the Complaint and its supporting documentation demonstrates that the Complaint has no basis in fact or logic and that it is supported only by speculation, innuendo, and incomplete excerpts from newspaper articles.

The Republican Committee's Complaint argues that an annual cash gift received by Janet Robert from her mother should be classified as a "campaign contribution," rather than as "personal funds." The materials submitted by the Republican Committee in support of its Complaint, however, demonstrate that this year's annual cash gift to Robert from her mother was properly classified as "personal funds."

A "campaign contribution" is defined by the Act as: "any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. Section 431(8)(A)(i)

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[emphasis added]. The cash gift from Robert's mother was not made "for the purpose of influencing any election for Federal office." To the contrary, it was simply this year's annual gift made by Robert's mother and it is equal to the gifts given by Robert's mother to each of her eleven children. *See, Greg Gordon article in The Star Tribune, dated October 5, 2002, attached to the Complaint.*

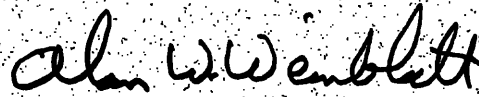
The Federal Election Commission's regulations define "personal funds" to include "gifts of a personal nature which had been customarily received prior to candidacy." 11 C.F.R. 110.10(b)(2). The evidence filed in support of the Republican Committee's Complaint states that Robert and each of her siblings historically receive equal gifts of cash from their mother on an annual basis. *See, Greg Gordon article in The Star Tribune, dated October 5, 2002, attached to the Complaint.* This year's cash gift to Robert from her mother fits the definition of "personal funds" because the gift was of a personal nature and had been customarily received by Robert prior to her candidacy.

In support of their argument that this year's cash gift from Robert's mother was a contribution made for the purpose of influencing an election for Federal office, the Republican Committee's Complaint relies upon conjecture and innuendo rather than upon any factual evidence. The Complaint argues: "[o]bviously, it appears that she is laundering excessively large contributions from her mother to the Janet Robert for Congress Committee." *Complaint of Republican Committee, pp. 2-3.* As support for this assertion, the Complaint states that "Janet Robert's supposedly selfless loans to her campaign were quite large, and on their face, exceed her liquid assets." *Id.* The Republican Committee's Complaint speculates that Robert could not possibly have lent her campaign \$811,219 unless she received an improper gift from her mother.

Even if such self-serving statements could be appropriate grounds for initiating a complaint with the Federal Election Commission, the material submitted by the Republican Committee in support of its Complaint demonstrates that Robert's assets are more than adequate to fund the loans made by Robert to her campaign committee. *See, Greg Gordon article in The Star Tribune, dated October 5, 2002, attached to the Complaint.* As stated in the article, Robert's liquid assets total as high as \$1,150,000 and her total assets exceed \$26,000,000. *Id.*

Nothing in the Republican Committee's Complaint supports the contention that the cash gift from Robert's mother was anything other than a customarily received cash gift of a personal nature which would constitute personal funds and would therefore be excluded from the Act's definition of contribution.

The Robert Committee has correctly and accurately complied with all FEC rules and regulations. The Respondents respectfully request that the Republican Committee's Complaint be dismissed.



ALAN W. WEINBLATT
FOR
WEINBLATT & GAYLORD, PLC

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Enclosure